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ANNUAL REPORT

ON

CIVIL JUSTICE IN MYSORE,

for the year 1879.

BY

COLONEL A. C. HAY,

Officiating Judicial Commissioner.

(WITH THE CHIEF COMMISSIONER'S REVIEW THEREON.)

24

Proceedings of the Chief Commissioner of Mysore in the General Department, (Judicial),—dated 25th May 1880.

READ—

Annual Report on Civil Justice by the Judicial Commissioner for 1879.

No. 1501—J. 26, DATED OOTACAMUND, 25TH MAY 1880.

REVIEW BY THE CHIEF COMMISSIONER.—The most noteworthy feature in the history of the administration of Civil Justice in Mysore during 1879 has been the change introduced in the constitution and powers of tribunals. The direction of reform during late years has ever been towards the complete separation of the executive having revenue and civil powers. The introduction of Munsiffs' Courts accompanied by the withdrawal of civil powers from Amildars began this which was continued by the gradual contraction of the Deputy Commissioners' civil powers. During the year 1879 the process has been completed. Commissioners of Divisions have ceased to exercise any revenue powers and in their place as Civil Judges have been constituted the Courts of the District Judges, who have unlimited original pecuniary jurisdiction and hear appeals from the Subordinate Judges. The latter, who take the place of Judicial Assistant Commissioners, form the next Court in grade below the District Judges, for the intermediate Civil Court of the Deputy Commissioner is abolished. The jurisdiction of the Subordinate Judge is little altered from that of the Judicial Assistant Commissioner; as before Rs. 5,000 represents the limit of their original pecuniary jurisdiction, but the Munsiff's original jurisdiction having been raised from Rs. 300 to Rs. 500, that of the Subordinate Judge commences now at the latter figure. Where they have Small Cause powers too the pecuniary limit thereof is now Rs. 500 in place of Rs. 300, and these Judges now hear appeals from Munsiffs direct instead of upon reference by the Deputy Commissioner.

2. As has been said the Munsiffs' original pecuniary jurisdiction is raised, and in cases where Small Cause powers are conferred upon them the pecuniary limit is Rs. 50 in place of Rs. 20. The only other change is the reduction of the jurisdiction of the Bangalore Small Cause Court, the Judge of which is Town and Cantonment Magistrate for Bangalore as well, from Rs. 1,000 to Rs. 500.

3. These alterations were effected by Government of India Notifications in the Foreign Department Nos. 235 and 236, dated 27th August 1879, and they took effect from the 15th September.

4. These changes in the constitution of Courts render it difficult to compare the number of suits instituted in, and disposed of by the different classes of Courts, but the total number of suits instituted in 1879 was 21,475 or 34 less than in 1878, while the number for disposal, after adding 1,427 pending suits and 168 received by transfer, was 23,070 or one more than in 1878. The number disposed of was 21,802 leaving 1,268 pending at the close of the year.

5. The proportion of contested suits, 28 per cent, is the same as in the previous year. A large proportion, namely 49 per cent, were dismissed for non-appearance of either party and decreed *exparte*, but it is satisfactory to be informed that there were comparatively few applications for setting aside the orders or decrees passed. The Courts of Munsiffs decided 60 per cent of the total number and the single Court of Small Causes in Bangalore decided as many as 28·5 per cent. In the matter of duration of these suits it is noticed that the average for contested suits rose from 29·33 days to 31 and that, although the duration for uncontested suits declined from 21·27 to 19, the important classes of Munsiffs and Subordinate Judges' Courts both shew a higher average in these cases as indeed in those of contested suits too; and while the small improvement in the duration of uncontested suits is almost wholly due to better results in the Deputy Commissioners and Commissioners' Courts, the increase in duration of contested suits would have been much more marked had it not been for the abnormal results in 1878 in the Courts of the Commissioners. The figures for the year in the Courts of Munsiffs and Subordinate Judges, and in the Bangalore Small Causes Court, shew a tendency to delay which must be checked before it grows.

Proceedings of the Chief Commissioner of Mysore in the General Department, (Judicial),—dated 25th May 1880.

6. The results of the year's work in the Appellate Courts are satisfactory. With a slightly increased number of cases for hearing a smaller balance of cases pending is displayed at once with a shorter average duration of cases disposed of.

7. A revision of the salaries of the Process-serving establishment has been effected which has resulted in a smaller net saving to Government, although the number of processes served and the fees collected on that account have risen. It is expected that the reform introduced in this matter will lead to more efficient and satisfactory work.

W. J. CUNINGHAM,
Secretary.

To—The Judicial Commissioner of Mysore.

ANNUAL REPORT ON CIVIL JUSTICE BY THE JUDICIAL COMMISSIONER OF MYSORE, FOR THE YEAR 1879.

I have the honor to submit, for the information of the Chief Commissioner, the prescribed Statements and Report on the Administration of Civil Justice in Mysore during the year 1879.

2. *Acts extended.*—During the year under review, the following Acts of the Indian Legislature were extended to this Province :—

Act XXVI of 1870—The Prisons' Act.
Act X of 1871—The Excise Act.
Act I of 1878—The Opium Act.
Madras Act VIII of 1878—The Coffee Stealing Act.
Act I of 1879—The General Stamp Act.
Act IV of 1879—The Indian Railway Act.
Act XII of 1879—Amending the Code of Civil Procedure, the Registration Act and the Limitation Act.

3. *Constitution and Powers of Tribunals.*—In the middle of September 1879, considerable changes were effected in the constitution and powers of the Civil Courts in the Province under orders of the Government of India in Notifications Nos. 235 and 236, dated 27th August 1879, Foreign Department.

4. The number, designation and pecuniary jurisdiction of the courts are exhibited in the subjoined table :—

As existed up to 14th September 1879.			Changes introduced from 15th September 1879.		
Designation of Tribunals.	No. of Tribunals.	Pecuniary Jurisdiction.	Designation of Tribunals.	No. of Tribunals.	Pecuniary Jurisdiction.
Court of Small Causes at Bangalore.	1	The Judge's jurisdiction up to Rs. 1,000 and of the Registrar up to Rs. 20.	Court of Small Causes at Bangalore.	1	Judge's jurisdiction up to Rs. 500 and of the Registrar up to Rs. 20.
Munsiffs.	22	Up to Rs. 300 with small cause powers up to Rs. 20. Mysore Munsiff exercised small cause powers up to Rs. 50.	Munsiffs.	22	Up to Rs. 500 with small cause powers in the case of some up to Rs. 50 within the head-quarter towns.
Judicial Assistant Commissioners.	8	From Rs. 300 to Rs. 5,000 with appellate powers from Munsiffs in cases referred by the Deputy Commissioners, also small cause powers up to Rs. 300 within the head-quarter towns.	Subordinate Judges.	8	From Rs. 500 to Rs. 5,000 with small cause powers up to Rs. 500 within the head-quarter towns, and appellate powers from Munsiffs.
Deputy Commissioners.	8	From Rs. 5,000 to Rs. 10,000 with appellate powers from Munsiffs.	All civil powers withdrawn.		
Commissioners.	3	Above Rs. 10,000 with appellate powers from the Judicial Assistants.	District Judges.	3	Unlimited, with appellate powers from Subordinate Judges.
Judicial Commissioner.	1	Powers of High Court.	Judicial Commissioner.	1	High Court powers.

5. The pecuniary jurisdiction of the Bangalore Court of Small Causes was reduced from Rs. 1,000 to Rs. 500 in March 1879.

6. *Territorial Jurisdiction.*—Except in the case of a few Munsiffs' Courts, the territorial jurisdiction of all the Civil Courts remained unaltered.

Original Courts.

7. *Original Institutions.*—The total number of original suits instituted in the Civil Courts of the Province during the year 1879 was 21,475 as compared with 21,509 in 1878, being a decrease of 34 suits.

8. The following table shews the number of suits filed in the different classes of courts during the past four years:—

Class of Courts.	1876.	1877.	1878.	1879.
Bangalore Court of Small Causes	6,931	6,104	5,993	5,849
Munsiffs	15,693	8,970	12,807	13,142
Judicial Assistants or Subordinate Judges ...	2,410	2,242	2,692	2,460
Deputy Commissioners	11	15	12	6
Commissioners or District Judges	6	10	5	18
Total.....	25,051	17,341	21,509	21,475

9. Owing to the changes that have recently taken place in the constitution and powers of the Civil Courts, a fair comparison cannot be made without some difficulty.

10. From the totals of the above table it will, however, appear that the civil litigation of the Province on the whole did not much vary from that of the previous year. While the Courts of the Munsiffs and the District Judges shew an increase of 348 suits, those of the Subordinate Judges and Deputy Commissioners and the Bangalore Court of Small Causes shew a decrease of 382. These fluctuations are generally attributed to the recent changes in the pecuniary jurisdiction of the courts.

11. *Classification of Suits.*—The following comparative statement exhibits the variations in the different classes of suits instituted during the past four years:—

	1876.	1877.	1878.	1879.
Suits for money on written obligation	13,697	10,040	13,407	13,215
Do on unwritten do	2,360	1,497	1,577	1,535
Do on account stated	1,249	716	730	597
Do had and received	288	147	221	251
Do goods sold	3,240	2,416	2,554	2,797
Do breach of contract	448	273	232	278
Do rent not falling under the rent law	476	439	660	600
Do movable property or value thereof	1,090	761	768	646
Do damages	302	163	147	170
Other suits for immovable property	1,448	672	981	1,061
Do for specific performance	17	14	17	25
Do to declare and establish rights to real property, including preemption, foreclosure, &c. ..	110	45	59	122
Do to declare and establish personal rights	114	54	37	45
Do for an account	28	12	35	18
Do relating to religious endowments	8	2	...	3
Do to set aside judgments, contracts or obligations on the ground of fraud	19	26	35	38
Do for dissolution of marriage...	29	...	7	3
Do for enforcement of matrimonial rights	55	20	14	27
Do for partition	64	43	22	34
Do relating to religion or caste	9	1	6	10
Total.....	25,051	17,341	21,509	21,475

12. From the above it will be seen that 20,089 or about 93 per cent of the suits were for money, and 1,061 or nearly 5 per cent were connected with land, under which head there was an increase of 88 suits over the figures in the previous year.

13. Of suits for money about 65 per cent were brought on bonds, and 597 cases on account stated.

14. As observed in the previous year, the largest number of suits for immovable property (506) was in the Ashtagram Division, the next (376) in the Nundydroog, and 179 suits in the Nagar Division, as compared with 447,395 and 139 respectively filed in 1878.

15. There was an increase of 63 cases in suits to declare and establish rights to real property, of 8 in those to establish personal rights, and of 23 cases in those for damages.

16. The variation in the other classes of suits was not of much importance.

17. *Value of Suits instituted.*—The aggregate value of suits was Rs. 23,47,202—6—8 or Rs. 1,59,138—11—4 less than that in 1878, thus decreasing the average value of the suits instituted during the year by about Rs. 6.

18. *Disposal of Suits.*—The total number of suits for disposal including 1,427 pending from 1878, and 168 received by transfer, was 23,070, being one more than the number in the previous year. Of this 21,802 or 94·5 per cent were disposed of, and 1,268 or 5·5 per cent were pending at the close of the year.

19. *Details of Disposal.*—These cases were disposed of as follows:—

17 per cent were disposed of without decree.
4 per cent were compromised.
15 per cent were decreed on confession.
36 per cent were decreed *exparte.*
21 per cent were disposed of after contest by a decree wholly or partially in favor of plaintiff.
7 per cent were disposed of after contest by a decree in favor of the defendant.

It will be seen that about 28 per cent only of the total number disposed of, being about the same proportion as in 1878, were actually contested.

20. The subjoined is a comparative statement shewing the manner in which the original suits were disposed of by the several classes of courts in 1878 and 1879:—

		Suits uncontested.				Suits contested.		Average duration.	
		Withdrawn, rejected or returned.	Dismissed for non-appearance of either party.	Decreed on confession or compromise.	Decreed *exparte.*	Judgment for Plaintiff.	Judgment for Defendant.	For contested Suits.	For uncontested Suits.
Bangalore Court of Small Causes	1879	195	710	409	3,567	879	367	13	10
	1878	121	592	671	5,092	1,080	269	11·75	10·64
Munsiffs	1879	314	1,948	3,240	3,469	3,038	913	35	25
	1878	346	1,655	3,064	4,069	3,121	756	32·8	24·7
Judicial Assistants and Subordinate Judges	1879	43	195	567	641	693	139	42	27
	1878	58	245	652	836	791	192	25·3	18 3
Deputy Commissioners	1879	...	...	2	1	2	...	44	13
	1878	1	1	...	2	2	3	53·2	46 2
Commissioners and District Judges	1879	1	1	3	...	14	1	117	112
	1878	1	...	1	1	4	3	376·4	168
Judicial Commissioner	1879	...	...	...	..	1	..	220	...
	1878	...	..	1	...	2	...	168	55
Total.....	1879	583	2,894	4,230	7,878	4,627	1,420	31	19
	1878	527	2,493	4,389	8,000	5,000	1,223	29·83	21 27

21. The proportion of cases decided in favor of plaintiffs including decrees on compromise, confession, and *exparte* was nearly the same as in the previous year, being about 80 per cent.

22. The proportion of cases dismissed for non-appearance of either party and decreed *exparte*, namely 49 per cent, is very high. The District Judge, Nundydroog, observes that, although the number appears large, there are comparatively few applications for setting aside the orders or decrees passed, and that it may be assumed that there are no good grounds for doing so. The same facts have been noticed elsewhere.

23. The number of suits referred to arbitration rose from 9 in 1878 to 14 in 1879. Eleven of these were referred by the plaintiffs and three by the Bangalore Court of Small Causes.

24. The subjoined table shews the particulars regarding the value of suits disposed of during the past and previous years :—

		1878.			1879.		
		No. of Suits.	Value.		No. of Suits.	Value	
Not exceeding Rs.	5	1,319	4,366	14 0	1,078	3,565	10 10
Do	20	5,103	68,747	14 0	5,089	63,327	0 1
Do	100	10,496	5,22,108	9 11	10,841	5,45,005	5 1
Do	500	4,140	7,34,775	3 4	4,088	7,62,096	4 10
Do	1,000	425	2,87,021	13 6	320	2,15,906	7 8
Do	5,000	235	4,46,549	1 8	194	3,54,835	0 1
Do	10,000	7	38,665	1 10	19	2,66,835	7 7
Do	1,00,000	10	2,59,734	3 2	2	50,045	0 0
Exceeding	1,00,000	...	...	... ...	1	2,00,000	0 0
	Total.....	21,635	23,61,963	12 5	21,632	24,82,516	4 2

25. The largest proportion of litigation was for sums not exceeding Rs. 500 in value being about 97 per cent. The number of cases valued at sums exceeding Rs. 5,000 was 22 as compared with 17 in 1878.

26. *Agency for disposal of Suits.*—Of the total number, about 60 per cent were decided by the Munsiffs, whose Courts appear to be both popular and efficient. 28·5 per cent of cases were decided by the Bangalore Court of Small Causes alone, 11·4 per cent by the Subordinate Judges, and the rest about 0 1 per cent by the Deputy Commissioners, the Commissioners, and the Judicial Commissioner.

27. Of the 1,268 cases which remained undisposed of at the close of the year, it is satisfactory to find that only 12 cases had been pending for more than 4 months. The oldest case was dated 5th January 1879 on the file of the District Judge of the Nundydroog Division, who reports as follows :—

"It was a suit by some of the members of an unregistered corporation called the "Bangalore Hindu Family Pension Fund against some of the Directors. All the mem- "bers of the institution numbering about 444, many of whom were residing out of "Mysore had to be joined as parties and served with notices. A Commissioner had "also to be appointed to examine and report upon the accounts of the institution from "1851, and the disposal of the suit was consequently delayed. It was, however, "finally disposed of on 13th February 1880."

28. *Average Duration of Suits.*—The average duration of contested suits was 31 days, and that of uncontested cases was 19 days as against 29 days and 21 days respectively in 1878.

29. The duration of contested suits was highest in the following Courts :—

Munsiffs in the Nagar Division	45 days.
Judl. Asstts. and Subordinate Judges in Nagar Division	42 days.
Do do do in Ashtagram Division	50 days.
District Judge of Ashtagram Division ..	127 days.
District Judge of the Nundydroog Division ..	114 days.

This duration though shorter than in the previous year, is still capable of improvement.

30. *Execution of Decrees.*—Including 2,123 applications pending from 1878, the total number of applications for execution of decrees was 26,119, being 1,149 or 4·6 per cent in excess of the number for the previous year.

31. The following table shews the disposal of these cases in the several classes of Courts in the Province, as compared with the figures for the preceding year:—

		Total number for execution.	Number disposed of.				Pending at the close of the year.
			No. transferred, rejected, returned or dismissed.	Decrees completely executed.	Decrees partially executed.	Total.	
Bangalore Court of Small Causes	1879	9,265	2,780	585	5,820	9,185	80
	1878	8,487	2,919	855	4,299	8,073	364
Munsiffs ...	1879	12,396	4,279	3,545	3,214	11,038	1,358
	1878	12,462	5,528	2,903	2,660	11,091	1,371
Judicial Assistants and Subordinate Judges	1879	4,356	1,597	877	1,542	4,016	340
	1878	4,013	1,633	683	1,323	3,639	374
Deputy Commissioners	1879	20	10	3	7	20	...
	1878	23	15	2	3	20	3
Commissioners and District Judges	1879	82	54	7	7	68	14
	1878	35	15	2	7	24	11
Total.....	1879	26,119	8,720	5,017	10,590	24,327	1,792
	1878	24,970	10,110	4,445	8,292	22,847	2,123

32. 20·6 per cent of the decrees were executed completely, and 43·5 per cent only partly.

33. In many of the cases returned as struck off for default, &c., it is presumed, as was observed last year, that the decrees may have been probably settled out of court, or satisfied by payment through the court, before the decree-holder found it necessary to enforce them.

34. It is satisfactory to note that a larger proportion of decrees have been executed during the year under report, the percentage being about 64 as compared with 51 in 1878.

35. Three hundred and seven decrees being 28 more than in the previous year were executed by possession being given.

36. In 1,855 cases warrants were issued for sale of immovable property, and for sale of movable property in 731 cases, as against 1,859 and 845 cases, respectively, in the preceding year.

37. Civil debtors were ordered to be arrested in 1,363 cases, of whom 253 were actually sent to the jail, as compared with 1,267 cases and 240 prisoners in 1878.

38. The total value of the decrees applied for execution amounted to Rs. 38,28,947—12—9, and of this amount decrees to the extent of Rs. 16,31,816—4—4 were partially and completely executed.

39. Eighty-three per cent of the total work in this Department was done by the Munsiffs and the Small Cause Court at Bangalore, 15·5 per cent by the Judicial Assistants and Subordinate Judges, and the remainder by the Deputy Commissioners and District Judges.

40. *Miscellaneous Cases and Petitions.*—From the subjoined table it will be seen that the miscellaneous work of the original courts has also increased considerably as compared with the previous year :—

		Number for disposal.		Number disposed of.		Number pending.	
		Cases.	Petitions.	Cases.	Petitions.	Cases.	Petitions.
Munsiffs	1879	1,784	3,899	1,686	3,878	98	21
	1878	1,309	4,025	1,239	3,967	70	58
Judicial Assistants and Subordinate Judges	1879	760	755	707	743	53	12
	1878	681	581	635	573	43	8
Deputy Commissioners	1879	8	20	3	20	...	...
	1878	263	138	263	138	...	...
Commissioners and District Judges	1879	508	353	461	328	47	25
	1878	117	292	56	230	61	62
Total.....	1879	3,055	5,027	2,857	4,969	198	58
	1878	2,370	5,036	2,193	4,908	177	128

41. At the end of the year only 10 cases had been pending over two months.

Appellate Courts.

42. During the year under report 849 appeals were preferred in all the Divisional and District Appellate Courts of the Province, which added to 59 appeals that had been pending from the previous year, and five received by transfer, made a total for disposal of 913 appeals as compared with 827 in 1878.

43. These appeals were disposed of in the manner shewn below:—

		Number disposed of.						Number pending.	Average Duration
		Confirmed.	Modified.	Reversed.	Remanded.	Dismissed.	Total.		
Judicial Assistants and Subordinate Judges	1879	333	72	164	36	23	628	42	34
	1878	338	59	126	32	27	582	27	40
Deputy Commissioners	1879	11	4	6	1	...	22	...	26
	1878	13	1	5	3	2	24	2	50
Commissioners and District Judges	1879	113	46	34	9	5	207	10	49
	1878	108	33	18	4	4	162	30	41
Total.....	1879	457	122	204	46	28	857	52	37
	1878	454	93	149	39	33	768	59	41

44. The proportion of appeals reversed to the total number disposed of is somewhat light, being 23·8 per cent as against 19·3 per cent in the preceding year.

45. All the appeals preferred from the decisions of the Munsiff's, except 22 taken up by the Deputy Commissioners, were heard and disposed of by the Judicial Assistants who are now called Subordinate Judges.

46. The Deputy Commissioners of Bangalore, Kolar and Mysore did no appellate work during the year.

47. Of the 207 appeals disposed of by the Commissioners, who are District Judges, the largest number (103) was in the Nundydroog Division, 69 in the Ashtagram, and 35 in the Nagar Division.

48. None of the 52 appeals pending at the close of the year was over four months' old, the oldest being dated 8th September 1879 on the file of the Subordinate Judge of Kadur.

49. There is a considerable improvement in the average duration of appeals, namely 37 days as compared with 41 days in 1878.

50. *Appeals in the Judicial Commissioner's Court.*—The subjoined table shews the working of the Judicial Commissioner's Court during the year under report:—

	Total number for disposal.	Number disposed of.					Number pending.
		Dismissed for default.	Confirmed.	Modified.	Reversed.	Remanded.	
Regular Appeals	6	...	1	...	3	...	2
Second do	115	2	47	3	23	8	32
Miscellaneous Appeals	8	...	3	1	1	...	3
Do Second Appeals... ...	3	...	1	...	...	...	2
Total.....	132	2	52	4	27	8	39

51. The regular and second appeals instituted in 1878 numbered 5 and 110 respectively.

52. The proportion of reversals to the number disposed of is less than in 1878, the percentage being 29 as compared with 17·2.

53. All the appeals shewn to be pending at the end of the year were under two months' old.

54. Including four miscellaneous civil petitions pending from the previous year, there were 75 petitions for disposal. All but one were disposed of before the close of the year.

Working of the Process-serving Department.

55. *Service of Processes.*—During the year under review 120,294 processes were issued, of which 118,479 were served, leaving 1,815 processes outstanding at the close of the year.

56. The following comparative statement exhibits the number of processes issued, and the amount of fees collected thereon, together with the cost of maintenance of the process-serving establishment in the several classes of courts during the past and previous years :—

		No. of Processes issued.	Total Amount of Fees collected.			Total Expenditure.		
Munsiffs	1879	94,524	48,694	12	0	32,058	3	10
	1878	87,050	44,851	2	0	24,420	1	9
Judicial Assistants and Subordinate Judges	1879	23,407	24,799	0	0	13,332	10	11
	1878	24,581	25,571	12	0	11,905	15	1
Deputy Commissioners	1879	258	135	0	0	251	7	8
	1878	1,081	611	5	0	723	11	2
Commissioners	1879	1,875	1,775	0	0	860	1	5
	1878	797	665	4	0	344	10	10
Judicial Commissioner	1879	280	199	0	0	...	...	...
	1878	293	246	0	0	...	...	...
Total	1879	120,294	75,602	12	0	46,502	7	10
	1878	113,802	71,945	7	0	37,394	6	10

57. It will be seen from the above that, notwithstanding the increase both in the number of processes issued and in the amount of fees collected during the year in all the Civil Courts of the Province, (with the exception of the Bangalore Court of

Small Causes which issued 25,507 processes), there is a decrease of Rs. 5,430—12—0 in the net savings to Government, the figures being Rs. 34,551—0—2 in 1878 and Rs. 29,120—4—2 in the year under review. This decrease is owing chiefly to the enhancement of salaries of the Amins and Peons of the Process-serving establishment generally.

58. *Surplus over Expenditure in the Bangalore Court of Small Causes.*—The net savings to Government after deducting the salary of the Judge and the cost of the establishment amounted to Rs. 15,501 as compared with Rs. 18,563 in the preceding year. The decrease is owing to less income consequent on the reduction of the jurisdiction of the court.

59. *Libraries.*—The court libraries have been examined and found correct.

Procedure.

The following is what has been recorded by Mr J. D. Sandford on the civil administration of the Province.

60. *Advocates and Pleaders.*—"Rules were framed in the early part of the year for regulating the qualification and admission of Advocates and Pleaders, and the Judicial Commissioner has done what was in his power towards placing the practitioners of the courts in the position which becomes the members of an honorable calling."

61. *Conduct of Business.*—"Instructions were issued during the year for opening the work of the courts at 11 o'clock in the forenoon, and for apportioning the business to different days of the week so as to ensure, so far as rule can do, punctuality and regularity in the proceedings of the courts."

62. "The sums to be entered in the decrees of the courts as Advocates' and Pleaders' fees were determined."

63. "Attention was paid to a more careful check of accounts of money paid into and out of court and to the securities to be taken from the officers of the courts."

64. *Supervision.*—"The Judicial Commissioner inspected the courts in the headquarters of the Districts in the Nundydroog, Ashtagram and Nagar Divisions, except Chikmagalur, and also visited the great majority of the Munsiffs' Courts in the interior."

65. *General Remarks.*—"The Judicial Commissioner has been satisfied with the working of the courts generally, except perhaps in regard to execution of decrees and sales held in execution, and his attention has since the close of the year been more particularly paid to this Department."

Bangalore,
28*th April* 1880.

A. C. Hay,
Offg. Judicial Commissioner.

JUDICIAL STATEMENT 6. (CIVIL)

Statement shewing the Number and Description of Civil Suits instituted in the Civil Courts of the Province of Mysore in the year 1879.

CLASS OF TRIBUNALS.	Suits for money, distinguishing suits up to Rs. 500, cognizable by Small Cause Courts, from "Other Cases."																Suits under the Rent Law.								Other Suits.												REMARKS.
	On written obligation.		On unwritten obligation.		On account stated.		Money had and received.		Goods sold.		Breach of contract not mentioned above.		Rent not falling under the Rent Law.		Movable property or value thereof.		Damages.		Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts or on account of illegal restraint or other cause.	For Puttas or Kabuliyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the Rent Law not included above.	Suits for immovable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for the dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to slippers.	Suits relating to religion and caste.	
	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.	Rs. 500 and under.	Above Rs. 500.																					
Bangalore Court of Small Causes ...	2,519	10	671	1	14	...	31	...	2,193	1	59	...	251	...	82	...	17	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Munsiffs ... Ashtagram ...	2,626	...	283	...	241	...	80	...	226	...	73	...	269	...	121	...	63	...	...	...	...	...	...	...	...	...	489	9	61	7	4	2	15	3	11	8	...	4	
Nundydroog ...	4,566	...	148	...	199	...	102	...	179	...	89	...	27	...	269	...	33	...	...	...	...	...	...	...	...	...	354	8	35	15	1	1	11	...	13	1	...	1	
Nagar ...	1,706	...	317	...	74	...	14	...	5	...	43	...	17	...	128	...	22	...	...	...	...	...	...	...	...	...	157	1	...	6	...	...	6	...	1	4	...	5	
Total.....	8,898	...	748	...	514	...	196	...	410	...	205	...	313	...	518	...	118	...	...	...	...	...	...	...	...	...	980	18	96	28	5	3	32	3	25	22	...	10	
Subordinate Judges ... Ashtagram ...	508	65	17	7	2	...	9	...	123	...	2	...	29	3	30	1	21	3	...	...	...	...	...	...	...	...	37	1	17	6	3	...	1	...	...	1	...	...	
Nundydroog ...	590	165	41	24	18	3	9	5	13	11	1	2	...	...	4	6	2	5	...	...	...	...	...	...	...	...	22	5	7	9	7	...	5	...	2	2	...	...	
Nagar ...	372	78	24	2	37	6	1	...	43	3	9	...	4	...	2	2	2	1	...	...	...	...	...	...	...	...	21	1	1	2	...	...	...	...	...	4	...	...	
Total.....	1,470	308	82	33	57	9	19	5	179	14	12	2	33	3	36	9	25	9	...	...	...	...	...	...	...	...	80	7	25	17	10	...	6	...	2	8	...	...	
Deputy Commissioners. ... Ashtagram ...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Nundydroog ...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Nagar ...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	
Total.....	...	1	...	...	...	3	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	
District Judges ... Ashtagram ...	...	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	2	...	...	...	...	1	...	...	
Nundydroog ...	...	5	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	2	...	...	
Nagar ...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	
Total.....	...	9	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	1	...	1	...	3	...	...	...	...	3	...	...	
Grand Total.....	12,887	328	1,501	34	585	12	246	5	2,782	15	276	2	597	3	636	10	160	10	...	...	...	...	...	...	...	...	1081	25	122	45	18	3	38	3	27	34	...	10	

JUDICIAL STATEMENT 7. (CIVIL.)

Statement shewing Value of Suits disposed of in the Civil Courts of the Province of Mysore in the year 1879.

Value of Suits.		Number of Suits disposed of in different Courts.						Total Value of Suits.			Remarks.
		Bangalore Court of Small Causes.	Munsifs.	Subordinate Judges.	Deputy Commissioners.	District Judges	Judicial Commissioner.				
1		2	3	4	5	6	7	8			9
								Rs.	A.	P.	
Not exceeding Rs. 5 ...	Ashtagram ...	...	123	17	...	...	...	509	8	9	
	Nundydroog ...	796	109	4	...	...	..	2,932	0	7	
	Nagar ...	...	20	9	...	...	...	124	1	6	
	Total ...	796	252	30	...	...	...	3,565	10	10	
„ „ „ 20 ...	Ashtagram ...	.	936	93	...	...	...	18,754	15	10	
	Nundydroog ...	2,186	1,817	93	...	..	...	43,256	3	5	
	Nagar ...	..	372	92	...	...	...	6,315	12	10	
	Total	2,186	2,625	278	...	..	...	63,327	0	1	
„ „ „ 100 ...	Ashtagram ...	...	2 657	327	...	...	...	1,48,323	12	1	
	Nundydroog ...	2,426	3,457	371	...	...	...	3,11,197	11	2	
	Nagar ...	...	1,370	233	...	...	...	85,493	13	10	
	Total	2,426	7,484	931	...	...	...	5,45,005	5	1	
„ „ 500 ...	Ashtagram ...	...	830	308	...	...	...	2,14 780	7	5	
	Nundydroog ...	736	1,065	255	. .	...	...	3,75,292	12	3	
	Nagar ..	...	05	189	...	...	...	1,72,923	1	2	
	Total.....	736	2,600	752	...	...	...	7,62,996	4	10	
„ „ „ 1,000 ...	Ashtagram ...	...	...	64	...	...	...	54,926	8	3	
	Nundydroog ...	28	...	166	...	...	...	1,14,153	15	2	
	Nagar ...	...	...	67	...	...	...	46,826	0	3	
	Total.....	28	...	297	...	...	...	2,15,906	7	8	
„ „ „ 5,000 ...	Ashtagram ...	...	...	48	...	...	...	87,925	0	11	
	Nundydroog ...	...	...	94	...	3	..	1,72,483	9	0	
	Nagar ...	...	...	48	1	...	..	94,426	6	2	
	Total.....	...	...	190	1	3	...	3,54,835	0	1	
„ „ „ 10,000 ...	Ashtagram ...	...	...	...	..	8	...	2,13,876	5	11	
	Nundydroog ...	...	...	...	2	4	...	45,430	7	1	
	Nagar ...	...	...	...	2	2	...	20,942	8	3	
	...	...	...	...	..	...	1	6,586	2	4	
	Total	...	...	...	4	14	1	2,86,835	7	7	
„ „ „ 1,00,000 ...	Ashtagram ...	...	...	...	...	...	...	...		...	
	Nundydroog ...	...	...	...	...	1	...	25,045	0	0	
	Nagar ...	...	...	...	...	1	...	25,000	0	0	
	Total	...	...	...	...	2	...	50,045	0	0	
Exceeding „ 1,00,000 ...	Ashtagram ...	...	...	...	...	..	...	...	...	...	
	Nundydroog ...	...	...	...	...	1	...	200,000	0	0	
	Nagar ...	...	...	...	...	...	...	...	...	...	
	Total	...	...	...	...	1	...	200,000	0	0	
	Grand Total.....	6,167	12,961	2,478	5	20	1	24,82,516	4	2	

JUDICIAL STATEMENT 8. (CIVIL.)

Statement shewing the General Result of the Trial of Civil Suits in the Courts of Original Jurisdiction in the Province of Mysore in the year 1879.

CLASS OF COURTS.		Suits remaining from last year.	Instituted in 1879.	Received by transfer.	Total for disposal.	Transferred to other Courts.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *exparte*.	Dismissed *exparte*.	Contested.		Total disposed of.	Pending.	Over 2 months.	Over 4 months.	Average Duration of Suits.		Referred to Arbitration.	REMARKS.
														In favour of Plaintiff in whole or part.	Judgment for Defendant.						Contested.	Uncontested.	
		1	2	3	4	6	5	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
Civil Courts.																							
Bangalore Court of Small Causes.		468	5,849	...	6,257	...	...	750	195	..	499	3,567	...	879	367	6,167	90	12	5	13	10	3	
Munsiffs ...	Ashtagram ...	277	4,575	71	4,923	105	16	548	165	247	844	1,235	185	900	376	4,516	272	25	...	34	22	5	
	Nundydroog...	418	6,661	13	6,492	14	23	767	169	179	954	1,678	228	1,552	398	5,918	530	63	2	32	26	4	
	Nagar ...	117	2,503	11	2,634	1	6	198	25	368	657	553	22	496	139	2,467	166	12	2	45	24	2	
	Total.....	812	13,142	95	14,049	120	45	1,513	299	794	2,455	3,469	435	3,038	913	12,901	968	100	4	35	25	11	
Subordinate Judges ...	Ashtagram ...	66	886	49	1,001	18	3	94	9	35	173	260	5	227	51	857	128	16	1	50	33	...	
	Nundydroog...	82	959	17	1,058	18	4	57	22	43	152	326	...	314	65	983	57	1	1	36	22	...	
	Nagar ...	52	615	1	668	12	..	17	5	26	139	255	22	152	23	638	18	2	...	42	25	...	
	Total.....	200	2,460	67	2,727	48	7	168	36	103	464	841	27	693	139	2,478	203	19	2	42	27	...	
Deputy Commissioners ...	Ashtagram ...	...	1	...	1	1	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Nundydroog...	3	1	...	4	2	...	...	...	...	...	1	...	1	...	2	...	...	...	30	10	...	
	Nagar ...	...	4	...	4	1	...	...	...	2	...	...	...	1	...	3	...	...	...	58	26	...	
	Total.....	3	6	...	9	4	..	...	...	2	...	1	...	2	...	5	...	...	...	44	13	...	
District Judges...	Ashtagram ...	2	7	1	10	...	1	1	...	1	1	...	...	4	...	8	2	2	..	127	108	...	
	Nundydroog...	1	9	4	14	...	...	...	...	1	...	...	...	8	...	9	5	2	1	114	131	...	
	Nagar ...	...	2	1	3	...	...	...	...	...	...	...	...	2	1	3	...	...	...	87	...	...	
	Total.....	3	18	6	27	...	1	1	...	2	1	...	...	14	1	20	7	4	1	117	112	..	
Judicial Commissioner ...		1	...	...	1	...		...	...	...	...	...	...	1	...	1	...	...	..	220	...	...	
Grand Total.....		1,427	21,475	99	23,070	170	53	2,432	530	901	3,329	7,878	462	4,627	1,420	21,632	1,268	135	12	31	19	14	

Statement shewing the Business of the Civil Appellate Courts of the Province of Mysore in the year 1879.

CLASS OF COURTS.		Remaining.	Instituted.	Received by transfer.	Total.	Transferred.	Dismissed for default, or under 5 and 6, Act XXIII of 1861.	Heard *exparte*.			Contested.				Total disposed of.	Pending.	Over four months.	Objections under Section 561, Act X, 1877.	Objections allowed.	REMARKS.
								Confirmed.	Modified.	Reversed.	Confirmed.	Modified.	Reversed.	Remanded.						
Civil Courts.																				
Subordinate Judges	Ashtagram ...	7	200	2	209	...	2	14	...	6	104	16	38	11	191	18	...	...	...	
	Nundydroog...	17	347	...	364	2	11	2	2	1	169	47	90	24	346	16	...	16	6	
	Nagar ...	3	95	1	99	...	10	17	...	7	27	7	22	1	91	8	...	...	...	
	Total.....	27	642	3	672	2	23	33	2	14	300	70	150	36	628	42	...	16	6	
Deputy Commissioners	Ashtagram ...	...	7	...	7	2	...	...	...	...	3	1	1	...	5	...	...	...	...	
	Nundydroog...	...	1	...	1	...	...	...	...	...	...	...	1	...	1	...	...	...	...	
	Nagar ...	2	14	..	16	...	...	1	1	1	7	2	3	1	16	...	...	...	...	
	Total.....	2	22	...	24	2	...	1	1	1	10	3	5	1	22	...	...	...	...	
District Judges	Ashtagram ...	12	60	...	72	...	2	3	1	1	32	13	14	3	69	3	...	...	...	
	Nundydroog...	14	93	2	109	...	2	7	...	2	48	29	9	6	103	6	...	9	1	
	Nagar ...	4	32	...	36	...	1	...	...	...	23	3	8	...	35	1	...	...	...	
	Total.....	30	185	2	217	...	5	10	1	3	103	45	31	9	207	10	...	9	1	
Judicial Commissioner—																				
Regular Appeals ...	... ...	...	6	...	6	...	...	1	...	...	...	...	3	...	4	2	...	...	...	
Second Appeals ...	... ...	9	106	...	115	...	2	3	...	4	64	3	19	8	83	32	...	...	...	
Miscellaneous Appeals ...	... ...	...	8	...	8	...	...	1	...	...	2	1	1	...	5	3	...	...	...	
Do 2nd do ...	... ...	...	3	...	3	...	...	1	...	...	...	...	...	...	1	2	...	...	...	
	Grand Total.....	68	972	5	1,045	4	30	50	4	22	459	122	209	54	950	91	...	25	7	

JUDICIAL STATEMENT 10. (CIVIL)

Statement shewing the Execution of the Decrees of the Civil Courts of the Mysore Province in the year 1879.

CLASS OF COURTS.		Application to execute Decree.									Nature and Number of coercive process issued.						
		Pending.	Filed.	Received by transfer.	Total.	Transferred withdrawn, rejected, returned or dismissed for default.	Decrees completely executed.	Decrees partially executed.	Pending at the end of 1879	Decrees executed by possession being given.	Imprisonment of person.	Movable property.		Immovable property.		Orders under Chapter 36 of Act X of 1877.	Remarks.
												Attached.	Sold.	Attached.	Sold.		
Civil Courts.																	
Bangalore Court of Small Causes.		364	8,839	2	9,205	2,780	585	5,820	80	...	191	140	99	...	...	...	
Munsiffs ...	Ashtagram ...	337	3,372	166	3,935	1,514	1,340	640	441	145	333	327	67	576	509	2	
	Nundydroog...	701	5,251	585	6,537	2,048	1,579	2,259	711	95	380	756	219	1,074	829	8	
	Nagar ...	213	1,605	46	1,864	717	629	315	203	26	53	198	177	262	121	...	
	Total.....	1,371	10,228	797	12,396	4,279	3,545	3,214	1358	266	766	1231	463	1,912	1,459	10	
Subordinate Judges ...	Ashtagram ...	86	1,187	250	1,523	501	204	629	189	17	196	221	47	248	194	...	
	Nundydroog...	170	1,722	33	1,925	731	449	676	69	18	174	167	51	149	145	...	
	Nagar ...	118	774	16	908	365	224	237	82	5	35	121	71	62	56	...	
	Total.....	374	3,633	299	4,356	1,597	877	1,542	340	40	405	509	169	459	395	...	
Deputy Commissioners ...	Ashtagram ...	...	2	1	3	2	1	...	...	...	...	1	...	...	...	...	
	Nundydroog...	3	8	...	11	3	1	7	...	1	...	...	...	3	...	...	
	Nagar ...	...	5	1	6	5	1	...	...	...	...	...	...	...	...	...	
	Total.....	3	15	2	20	10	3	7	...	1	...	1	...	3	...	...	
District Judges...	Ashtagram ...	4	7	41	52	44	...	1	7	...	...	...	...	...	...	...	
	Nundydroog...	5	16	5	26	7	7	6	6	...	1	...	...	14	1	...	
	Nagar ...	2	2	...	4	3	...	...	1	...	...	...	...	1	...	...	
	Total.....	11	25	46	82	54	7	7	14	...	1	12	...	15	1	...	
Grand Total...		2,123	22,850	1,146	26,111	8,720	5,017	10,590	1792	307	1,363	1943	731	2,389	1,855	10	

BANGALORE,
28*th April* 1880.

A. C. HAY,
Offg. Judicial Commissioner.

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